

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
STEINER 00.01

In Re Application Of: **WILSON et al.**

Serial No.
09/896,375

Filing Date
June 29, 2001

Examiner
Sherrer, Curtis Edward

Group Art Unit
1761

Invention: **Improved Flavoring Composition and Process for Brewing Malt Beverages**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.



Signature

Dated: **January 14, 2003**

**Norman P. Soloway
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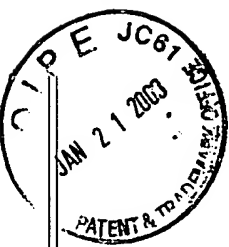


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Kathryn Grimes

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1761

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF: WILSON et al.

SERIAL NO.: 09/896,375

FILED: June 29, 2001

FOR: Improved Flavoring Composition and Process for Brewing Malt...

DOCKET: STEINER 00.01

The Commissioner of Patents & Trademarks
Washington, D.C. 20231

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, submitted herewith is a copy of the Preliminary Examination Report received in connection with a Novelty Search of Applicant's corresponding PCT application. The references cited in the Preliminary Examination Report are already of record in this case. Thus, additional copies are not being provided. Additionally, Applicant's enclose U.S. PTO Form 1449, including copies of the references listed therein, which are cited in the specification. The claims in the present application are believed to be patentably distinguished over these references.

This Information Disclosure Statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitute prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

In compliance with the requirements of 37 C.F.R. § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. § 1.56(c) most

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knowledgeable about the content of the information, the undersigned attorney of record submits a copy of the Preliminary Examination Report by a PCT examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a PCT patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of PCT examiner or the claims of the foreign application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the PCT examiner's comments submitted therewith.

The enclosed Information Disclosure Statement is being submitted within three months of receipt of the Preliminary Examination Report, as certified in the attached Certification for Information Disclosure Statement. Therefore, we believe there are no fees involved with this prior art disclosure statement. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,



Norman P. Soloway
Attorney for Applicants
Registration No. 24,315

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on January 14, 2003 at Tucson, Arizona.

By: 

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